IN THE HIGH COURT OF KERALA AT ERNAKULAM

PRESENT :

THE HONOURABLE MR. JUSTICE THOTTATHIL B.RADHAKRISHNAN

MONDAY, THE 6TH AUGUST 2007 / 15TH SRAVANA 1929

OP.No. 25305 of 2002(K)

PETITIONER:

V.G. EAPEN B.SC. (ENGG) M.B.A.,
S/O. LATE MR. GEORGE, RESIDING AT
VALAKUZHI HOUSE, HOUSE NO.279,
GIRINAGAR, ERNAKULAM VILLAGE.

BY ADV. SRI.M.K.DAMODARAN,
SRI.P.SANJAY,
SRI.A.PARVATHI MENON.

RESPONDENTS:
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1. **THE CHAIRMAN AND MANAGING DIRECTOR,**
   COCHIN SHIPYARD LIMITED, KOCHI-15.

2. **BOARD OF DIRECTORS, REPRESENTED BY**
   ITS COMPANY, SECRETARY AND CHIEF VIGILANCE,
   OFFICER, COCHIN SHIPYARD LTD., KOCHI-15.

BY ADV. SRI.M.PATHROSE MATHAI,
SRI.SAJI VARGHESE.

THIS ORIGINAL PETITION HAVING BEEN FINALLY HEARD ON 06/08/2007,THE COURT ON THE SAME DAY DELIVERED THE FOLLOWING:

prv.

ORDER ON C.M.P. NO. 43005/2002 IN O.P. NO. 25305/2002

DISMISSED

06/08/2007. **SD/- THOTTATHIL. B.RADHAKRISHNAN, JUDGE.**

//TRUE COPY//

prv.

THOTTATHIL B. RADHAKRISHNAN, J.

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O.P.No.25305 of 2002-K

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Dated this the 6th day of August, 2007.

JUDGMENT

1. This writ petition is filed after an earlier round of litigation, which led to Ext.P1 judgment, whereby the petitioner was relegated to the management on the bona fide belief that he will mend his ways, since he stood accused of abusing the management by public utterances.

2. I had heard learned senior counsel Sri.M.K.Damodaran instructed by Adv.Sri.P.Sanjay for the petitioner and Sri.M.Pathros Matthai, the learned senior counsel for the management, assisted by Adv.Sri.Saji Varghese, for considerable time on the merits of the case and certain suggestions were also made as to whether the present punishment could be modified, provided the petitioner

had demonstrated that he had changed his attitude to the management. The matter was accordingly adjourned for specific instructions of the management.

3. However, on the next date of hearing, it was brought to my notice that the petitioner had gone to the press making utterances challenging the quality of materials being used in the process in the Cochin Shipyard. When that fact was brought to the notice of the Court, the learned counsel for the petitioner sought an adjournment to get instructions from his client, who was present in court on that day.

4. Thereafter, the learned senior counsel appearing for the petitioner withdrew from the case and his advocate relinquished the engagement. Submissions to such effect were made by the learned counsel for the petitioner in the presence of the petitioner in Court. Accordingly, the case

was adjourned for the petitioner to make alternate arrangements for conducting the case.

5. However, there is no appearance for the petitioner when the matter is taken up today. This writ petition is accordingly dismissed for default after recording the aforesaid facts.

THOTTATHIL B. RADHAKRISHNAN,
JUDGE.

Sha/-

THOTTATHIL B. RADHAKRISHNAN, J.

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O.P.No.25305 of 2002-K

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JUDGMENT

Dated: 6th August, 2007.